THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.14032 OF 2004

Date: 12-08-2005

Between:

Maddipati Prasad and another.

…. Petitioners.

And

Kosu Butchamma and others.

… Respondents.

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.14032 OF 2004

ORDER:

Though interlocutory matters are listed, the Writ Petition itself is heard finally and is being disposed of with the consent of the learned counsel for the parties.

The petitioners assail the order passed by the second respondent dated 24.7.2004 in C.M.A.No.23 of 2003, confirming the order dated 11.03.2003 passed by third

respondent. Be it noted that third respondent by the said order came to the conclusion that petitioners have contravened Section 3(2)(a) of the Andhra Pradesh Scheduled Areas Land Transfer Regulations, 1959 (for short 'the Regulations'), and therefore, they are liable to be evicted. The appellate authority agreed with the said conclusion.

It is the case of the petitioners that they are in possession of the petition schedule property on the basis of the registered permanent patta dated 4-5-1965, and therefore, the same is not illegal under the Regulations. Be it noted that Regulation 6 of the Regulations provides for revision to the Government against order passed by the Agent to the Government as an appellate authority. In the opinion of this Court, this is effective alternative remedy as questions of fact are involved. Liberty is given to petitioners to prefer revision before the Government within a period of two weeks from the date of receipt of this order and also obtain appropriate interim orders from the Government. To enable the petitioners to do so, there shall be *status quo* as on today for a period of two weeks from today.

The Writ Petition, with the above observations and directions, is disposed of.

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(V.V.S.RAO, J)

12.08.2005

Msr.

Note: Office to issue copy of the order by 18-08-2005

B/o. MSR